

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

VICTOR ANTHONY

V.

CHARLES MCGUIRE, NATIONAL  
SETTLEMENTS, INC., AND  
GLOBAL CLIENT SOLUTIONS, INC.

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Civil Action No. 4:09-CV-02442

**AGREED MOTION TO REMAND**

Plaintiff, Victor Anthony, files this Agreed Motion to Remand and to State Court and would respectfully show as follows:

**I.**

**Introduction and Case Status**

1. On June 22, 2009, Plaintiff Victor Anthony filed this lawsuit in Harris County Court at Law against Charles McGuire, National Settlements, Inc., and Global Client Solutions, L.L.C.. Global removed this matter to federal court.

2. On October 7, 2009, Plaintiff and Global notified this Court that they had reached a settlement. (Doc. No. 15). On October 9, 2009, the Court issued an Order of Dismissal dismissing the Plaintiff's case against Global *without* prejudice. (Doc. No. 16).

3. Plaintiff has not settled his claims against Charles McGuire and National Settlements, Inc.

**II.**

**Agreed Motion for Remand**

4. Plaintiff and Defendants National Settlement, Inc. and Charles McGuire move to remand this case to state court. This case was filed in State Court at . Defendant Global removed it to Federal Court based on a federal question and diversity. Defendants National Settlement, Inc. and Charles McGuire have not asserted federal jurisdiction and agree to the remand.

WHEREFORE, Plaintiff prays that this Court grant the Order to Remand and grant Plaintiff such other and further relief as is just and reasonable.

Respectfully submitted,

/s/ Mark L. Aschermann  
Mark L. Ascherman  
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Houston, Texas 77401  
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**ATTORNEY FOR PLAINTIFF VICTOR ANTHONY**

### **CERTIFICATE OF CONFERENCE**

I hereby certify that on the 26 day of October, 2009, I, Mark Aschermann, conferred with Mr. Jack Fuerst, counsel for Defendants Charles McGuire and National Settlements, Inc., and he agreed to the Motion to Remand.

/s/ Mark L. Aschermann  
Mark L. Ascherman

### **CERTIFICATE OF SERVICE**

I hereby certify that on this the 26 day of October, 2009, a true and correct copy of the foregoing instrument was served on the following counsel of record:

Laura E. De Santos  
Jack Urquhart  
Clark, Thomas & Winters, PC  
3000 Wesleyan, Suite 350  
Houston, TX 77027

Jack N. Fuerst  
8955 Katy Freeway, Suite 205  
Houston, Texas 77024-1626

/s/ Mark L. Aschermann  
Mark L. Ascherman